



DEC 22 2003

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Attorney Docket No.: 818/39806

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Hark C. Chan

Confirmation No. 2589

Serial No.: 10/073,124

Art Unit: 2684

Filed: February 9, 2002

Examiner: William Cumming

For: INFORMATION DISTRIBUTION AND PROCESSING SYSTEM

REFERENCE TO COMPANION CASES

Honorable Assistant Commissioner  
for Patents  
Washington, D.C. 20231

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Sir:

Technology Center 2600

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DEC 24 2003

OFFICE OF PETITIONS

Reference is made to an Interview Summary mailed November 24, 2003, in a companion case, Application Serial Number 10/322,624. A copy of the Interview Summary is attached. In it, Supervisory Patent Examiner William Trost indicated that a single submission of an IDS could be made with respect to the instant Application and a companion case provided the specification in the instant application is amended to show that it is related to the companion case. This submission is made in response to the foregoing Interview Summary.

Please add the following paragraph between paragraphs 1 and 2, page 1 of Application Serial No. 10/073,124.

... This application is a companion application to application Serial No. 10/322, 624 filed December 19, 2002 and application Serial No. 10/079,257 filed February 19, 2002 ...

Pursuant to the instructions of SPE, William Trost, AU 2683 in the interview summary of November 24, 2003, in Serial N. 10/322,624, filed December 19, 2002, the above statement of related applications is requested to be entered.

Respectfully submitted,

BARNES & THORNBURG

  
Mark M. Newman  
Reg. No. 31,472  
(202) 289-1313



DEC 22 2003

Attorney Docket No. 818-39806  
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Hark C. Chan Confirmation No. 5976  
Serial No.: 10/073,124 Art Unit: 2683  
Filed: February 9, 2002 Examiner: William D. Cumming  
For: INFORMATION DISTRIBUTION AND PROCESSING SYSTEM

**UNDER 37 CFR 1.56, NOTIFICATION OF THE FILING, IN COMPANION CASE  
SERIAL NO. 10/322,624, OF A PETITION TO EXPUNGE AND RETURN TO  
SENDER THE THREE BOXES OF MATERIAL SUBMITTED WITH AN IDES  
FILED AUGUST 28, 2003 UNDER MPEP § 724.05(II)**

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Attn: William Trost  
SPE Tech Center 2600

Technology Center 2600

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OFFICE OF PETITIONS

Sir:

This is a notification of papers filed in companion Serial No. 10/322,624.

On August 28, 2003, Applicant submitted three boxes of materials (the "Additional Information") as part of an IDS for Application Serial No. 10/079,257 filed February 19, 2002. The '257 Application is the parent of the above referenced '624 Application. On August 28, 2003, Applicant also filed an IDS identifying the Additional Information in this '124 Application, filed February 9, 2002, together with a petition requesting that the PTO waive the requirement for submitting an additional set of the three boxes of materials in connection with the '124 Application. The '124 Application is a sister application to the '257 Application. Subsequently, Applicant filed an IDS identifying the Additional Information, together with a petition for waiver of the requirement for submitting an additional set of the documents, in Application Serial No. 09/918,338, which was later abandoned. The '338 Application is a sister application to the '257 and '124 Applications.

After filing the Additional Information, the undersigned became aware that certain of the Additional Information was designated confidential in a pending case. Accordingly, on September 23, 2003, the undersigned filed a request in the '624 Application to have the documents in the three boxes marked confidential.

By way of a telephone interview on November 20, 2003, Mr. William Trost (SPE Technology Center 2600) indicated that the request of September 23 would be denied. In the Examiner Interview summary of November 24, 2003, Mr. Trost said that the reason for denial was that the request was made after the IDS was submitted. Mr. Trost stated that the Applicant could file a petition to expunge and withdraw the Additional Information. After the decision on the petition and return of the Additional Information, a separate IDS submission could be made meeting the requirements of MPEP 724.02. Mr. Trost also indicated that the Applicant must place a sticker on each document that is subject to confidential treatment.

In accordance with the instructions of Mr. Trost, the Applicant hereby requests that the Additional Information be withdrawn and expunged with respect to the '624 Application, the '257 Application, the '124 Application and the '338 Application, and that the three boxes of materials be returned to the undersigned, so that they can be marked and resubmitted in a manner meeting the requirements of MPEP 724.02. In support of this petition, Applicant submits that the Additional Information was unintentionally submitted before clearance of confidentiality or proper marking was obtained. It is Applicant's understanding that the Additional Information has not been forwarded to Examiner Cummings and no one has reviewed this material for substance. The Additional Information has not otherwise been made public.

Applicant commits to retaining a copy of Additional Information for the period of any patent that references same.

Authorization to charge the petition fee for this request and any other fee due therefore to the Account of Barnes & Thornburg, Deposit Account No. 02-1010 (818-39806).

Respectfully submitted,

BARNES & THORNBURG



Mark M. Newman  
Reg. No. 31,472  
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